

REMARKS/ARGUMENTS

Favorable reconsideration of the present application is respectfully requested.

Claims 42-44 have been cancelled.

Claim 40 has been amended responsive to the rejection under 35 U.S.C. § 112, which is believed to be moot.

Claim 40 has also been amended to further recite that the calculated injection pattern for each injection of the contrast medium into a subject comprises a variable injection rate and predetermined injection time, wherein for each injection of the contrast medium into a subject the variable injection rate varies based on the body weight of the subject, and wherein the predetermined injection time is unchanged for each such injection of the contrast medium into a subject. Basis for this is found at page 14 in the specification, particularly at lines 24-25. The invariable injection time for each injection has the advantage that when one starts the injection at the same timing, the timing of the optimum value of the concentration of the contrast medium remains substantially the same in all cases. See, e.g., Figs. 1-A and 1-B of the last response. Accordingly, one can achieve high repeatability for different imaging operations on the same patient, e.g., to measure long term body changes, where the patient's weight has changed between imaging operations.

Claims 40-49 were again rejected under 35 U.S.C. § 103 as being obvious over Uber et al in view of Duchon, Cherek et al and Dahlin et al, wherein Duchon, Cherek et al and Dahlin et al were cited for teachings related to touch screens.

Applicants had previously responded to the rejection based on this prior art by arguing that Uber et al calculates injection parameters including a "time delay" based on patient data (see, e.g., steps 116-117 in Fig. 5; see also lines 29-32 of col. 3), and so the injection timing is changed for each patient. This has apparently not been disputed (see Office Action, p. 4: "While Uber et al. does change the settings for each patient..."). Instead,

the “Response to Arguments” replies that “there is no mention in the claims of using the same operating conditions for every patient.” Thus, it was deemed that the claims did not sufficiently distinguish over the variable time delay of Uber et al (when taken in view of Duchon, Cherek et al and Dahlin et al, which were cited for teachings related to touch screens).

It is respectfully submitted that the presently amended claims define over this prior art. The amended claims do not merely recite that the injection time is predetermined but further recite that “the predetermined injection time is unchanged for each said injection of said contrast medium into a subject.” This may be contrasted with Uber et al in which the “time delay” is based on patient information and would vary from one subject to the next. Such a variable time delay also degrades the repeatability of multiple imagings of the same patient where the patient’s weight changes between imagings.

Applicants therefore believe that the present application is in a condition for allowance and respectfully solicit an early Notice of Allowability.

Respectfully submitted,

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